

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A STATEMENT OF DAMAGES IN A CIVIL CASE  
5 IS NOT ADMISSIBLE AS EVIDENCE AT TRIAL; AND AMENDING SECTION 25-4-312, MCA."

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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9 **Section 1.** Section 25-4-312, MCA, is amended to read:

10 **"25-4-312. Request for statement of damages -- response.** When an action is filed in the district court  
11 to recover damages for personal injury or wrongful death, the parties against whom the action is brought may  
12 at any time request a statement setting forth the nature and amount of damages being sought. The request ~~shall~~  
13 must be filed and served upon the claimant, who shall file and serve a responsive statement as to damages  
14 within 15 days ~~thereafter~~ after service. In the event that a response is not served, the party, on notice to the  
15 claimant, may petition the court in which the action is pending to order the claimant to serve a responsive  
16 statement. A statement of damages is not admissible as evidence at trial."

17 - END -